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Chair: Mr. Bhattarai ..... (Nepal)
Chair of the Advisory Committee on Administrative and Budgetary Questions: Mr. Ruiz Massieu

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Agenda item 133: Programme budget for the biennium 2014-2015 (*continued*)

Second performance report on the programme budget for the biennium 2014-2015

Capital master plan

The meeting was called to order at 10.15 a.m.

Agenda item 134: Proposed programme budget for the biennium 2016-2017 (*continued*)

Request for a subvention to the Residual Special Court for Sierra Leone (A/70/7/Add.30 and A/70/565)

Revised estimates resulting from resolutions and decisions adopted by the Human Rights Council (A/70/7/Add.28 and A/70/562)

Contingency Fund: consolidated statement of programme budget implications and revised estimates (A/70/7/Add.34; A/C.5/70/19 and A/C.5/70/19/Corr.1)

1. **Ms. Bartsiotas** (Controller), introducing the report of the Secretary-General on the request for a subvention to the Residual Special Court for Sierra Leone (A/70/565), said that the report outlined the financial challenges faced by the Court and provided estimates of resource requirements for the biennium 2016-2017.

2. Despite fundraising efforts, voluntary contributions would not be sufficient to meet the budgetary requirements for the Court's operations beyond March 2016. Consequently, the Secretary-General requested the General Assembly to approve a subvention in an amount of just over $6 million for the funding of the activities of the Residual Special Court. Any further voluntary contributions received would reduce the utilization of the subvention and would be reflected in the second performance report on the programme budget for 2016-2017.

3. Introducing the report of the Secretary-General on the revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its twenty-eighth, twenty-ninth and thirtieth sessions and twenty-third special session (A/70/562), she said that the adoption of 57 resolutions and decisions had resulted in additional resource proposals in an amount of $11.4 million.

4. Introducing the report of the Secretary-General on the contingency fund: consolidated statement of programme budget implications and revised estimates (A/C.5/70/19 and A/C.5/70/19/Corr.1), she said that, in the context of the budget outline for the biennium 2016-2017, the Assembly had decided that the level of the contingency fund should be set at $41.7 million, or 0.75 per cent of the preliminary estimate for the biennium.

5. The report on the contingency fund presented potential new charges against the fund of $34.1 million, reflecting the information available as at 8 December 2015, after taking into account the then-known recommendations of the Advisory Committee. Recommendations emanating from the Advisory Committee after issuance of the report had reduced the potential charges to $18.5 million, mainly as a result of the recommendation to authorize the Secretary-General to enter into commitments for implementation of the decisions contained in the Addis Ababa Action Agenda and the 2030 Agenda for Sustainable Development, which no longer represented a charge against the contingency fund.

6. Should the Committee endorse the recommendations of the Advisory Committee, a balance of $23.2 million would remain in the contingency fund. Should the Assembly adopt additional resolutions entailing financial implications for the proposed programme budget for the biennium 2016-2017, the charges against the contingency fund would need to be adjusted accordingly.

7. **Mr. Ruiz Massieu** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the report of the Advisory Committee on the request for a subvention to the Residual Special Court for Sierra Leone (A/70/7/Add.30), said that, pursuant to article 3 of the Agreement establishing the Court, the expenses of the Residual Special Court were to be borne by voluntary contributions. However, the financial situation of the Court was such that it would be unable to continue its work beyond March 2016 without further voluntary contributions. The Secretary-General had indicated that the subvention proposal was a temporary measure and that he would hold consultations to seek a comprehensive solution.

8. In view of the projected funding shortfall for 2016, the uncertain nature of outstanding pledges and the urgent need for resources to ensure the continued operations of the Residual Special Court, the Advisory Committee recommended that the General Assembly should authorize the Secretary-General to enter into commitments, as a bridging financial mechanism, in an amount not to exceed $2,438,500, to supplement the voluntary financial resources of the Court for the

period from 1 January to 31 December 2016, and should request the Secretary-General to report, at the main part of its seventy-first session, on the use of the commitment authority and on the results of his consultations with a view to the proposal of a comprehensive funding solution.

9. Introducing the report of the Advisory Committee on the revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its twenty-eighth, twenty-ninth and thirtieth sessions and twenty-third special session (A/70/7/Add.28), he said that the Advisory Committee welcomed the improvement in the presentation of the estimates. It recommended approval of the proposed resources except for the establishment of one P-3 post for a Web Content Management Officer, in view of existing capacity. The Advisory Committee also commented on the need for reliable information on the standard unit costs of interpretation and processing of documentation at each duty station in order to properly assess resource requirements.

10. Introducing the report of the Advisory Committee on the contingency fund (A/70/7/Add.34), he said that the Advisory Committee had considered an advance version of the Secretary-General's report, at which time a number of revised estimates and programme budget implications relating to resource requirements had been pending. Now that the final version of the report was available, the Secretary-General should provide an updated list of charges against the contingency fund to reflect the remaining recommendations of the Advisory Committee. The contingency fund was an essential budgetary instrument for addressing additional resource requirements in accordance with the provisions of General Assembly resolutions 41/213 and 42/211.

11. **Mr. Davidson** (South Africa), speaking on behalf of the Group of 77 and China, said that the Group attached great importance to the smooth functioning of mandated judicial institutions and paid close attention to the financial situation of the Residual Special Court for Sierra Leone. It supported the request for a subvention of $6.03 million for the period 1 January 2016 to 31 December 2017.

12. The Group was a staunch supporter of the human rights pillar of the Organization in general, and of the Human Rights Council in particular: the mandates approved by the Council should be adequately resourced to ensure full and timely implementation. He noted that the decisions and resolutions adopted by the Council in 2015 would result in estimated resource requirements of $30,588,100, of which $10,711,400 related to activities of a perennial nature already included in the programme budget for 2014-2015 and the proposed programme budget for 2016-2017.

13. He also noted that the remaining requirements of $19,876,700 were new requests that the Secretary-General proposed to cover in the context of the second performance report on the programme budget for 2014-2015 from the approved appropriations for the biennium; and, in the amount of $11,367,300, under the proposed programme budget for the biennium 2016-2017 as a charge against the contingency fund. The Group would seek clarification of those issues as well as of the proposed establishment of three new posts at the P-3 level to support activities mandated by the Council.

14. With regard to the consolidated statement of programme budget implications and revised estimates charged against the contingency fund, it was the responsibility of the Secretary-General to ensure that the proposed programme budget presented the fullest possible picture of the Organization's requirements for any given biennium. He noted that since the fund had been created its level had been set at 0.75 per cent of the overall level of resources of the programme budget outline. The Group acknowledged that it was not always possible to accommodate new initiatives within the biennial cycle of the regular budget and that additional resources must be considered. The contingency fund was an essential budgetary instrument for addressing additional resource requirements, subject to the provisions of General Assembly resolutions 41/213 and 42/211 on its use. The Secretary-General should notify the Assembly in a timely manner of any constraints faced.

15. **Mr. Çevik** (Turkey), speaking also on behalf of Mexico, Morocco, Norway and Switzerland, said that, in recent years, Member States had been placing greater emphasis on human rights as one of the three pillars of the work of the United Nations. Notwithstanding that trend, the human rights pillar received only a fraction of the regular budget resources allocated to the other two pillars, a fraction that was insufficient to cover all mandated activities, which largely depended on voluntary contributions. The regular budget should, at the very least, cover the cost

of all activities mandated by the Human Rights Council and other relevant intergovernmental bodies. It should also allow the Office of the United Nations High Commissioner for Human Rights to respond positively to Member States' requests for technical assistance and to provide an appropriate field response.

16. The regular budget resources requested by the Secretary-General for human rights activities for the biennium 2016-2017 amounted to $197,963,200 before recosting, a decrease of 5.0 per cent compared with the revised appropriation for 2014-2015. Those resources were far from sufficient, in particular to cover the needs of the Office of the High Commissioner for Human Rights. The Secretary-General should provide detailed information on the full cost of mandated activities.

17. The United Nations must be given the resources required to deliver its mandates effectively and efficiently. The promotion and protection of human rights, a key objective, contributed to strengthening international peace and security and to promoting development. The aim should be to establish sustainable funding in a manner that balanced the different interests of States without infringing on the independence of the High Commissioner for Human Rights.

18. **Mr. Koroma** (Sierra Leone) said that the Residual Special Court for Sierra Leone had been established to discharge the ongoing legal obligations of the Special Court for Sierra Leone, which had been closed on 31 December 2013 after successfully concluding its work. By its statute, the Residual Special Court was mandated to carry out judicial and non-judicial functions, including activities that needed to be carried out whether or not trials or appeals were being conducted. However, it could not deliver on its mandate without the required resources. His Government was working with partners to address funding gaps, and the Secretary-General had written to all Member States appealing for financial support for the Court. In addition, the Oversight Committee and Court officials had held more than 80 fundraising meetings, but few positive responses had been received. If the Court failed to deliver on its mandate owing to a lack of adequate funding there could be serious consequences.

19. The Residual Special Court had served as a model and inspiration for other international judicial institutions; its legacy and achievements would be at risk if it should meet with untimely closure as a result of a lack of sustainable funding. In addition, the victims of conflict who had courageously testified before the Court and the people of Sierra Leone would lose faith in both the national and the international justice systems. Any loss of confidence would have a detrimental effect on the post-conflict peacebuilding process at a time when Sierra Leone was moving towards economic development and democratic stability. The Court must be guaranteed sustainable funding so as to carry out its mandate fully and contribute to peace and security, in particular in the West African subregion.

20. Securing sustainable funding remained a top priority for his Government in order to save the Court from closure. The Government would continue to work with Member States and other stakeholders to that end. In the interim, he urged the Committee to consider the request by the Secretary-General for two-year funding for the Residual Special Court in the amount of $6,034,800.

21. **Mr. Yazdani** (Islamic Republic of Iran) said that the amounts requested in paragraphs 58 to 60 of the report of the Secretary-General on revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its 2015 sessions (A/70/562) were an irresponsible waste of the limited financial resources of the United Nations, and were being requested to satisfy the political interests of the sponsors of the mandate of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran. Country-specific mandates of the Human Rights Council were politically motivated and ran counter to the basic principles of the Council: impartiality, universality and non-politicization of human rights issues. The allocation of the resources would harm the cause of human rights: the scarce financial resources of the Organization should be allocated more reasonably to fund areas that would truly improve their promotion and protection.

22. **Mr. Awad** (Syrian Arab Republic) said that his Government was firmly committed to realizing all human rights and fundamental freedoms for all Syrians in accordance with the Charter of the United Nations and international humanitarian law. However, his delegation had reservations concerning the allocation of financial resources under Council resolution 28/20 on the continuing grave deterioration in the human

rights and humanitarian situation in the Syrian Arab Republic.

Agenda item 134: Proposed programme budget for the biennium 2016-2017 (*continued*)

Revised estimates: effect of changes in rates of exchange and inflation (A/70/7/Add.35 and A/70/603)

Agenda item 144: Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (*continued*) (A/70/7/Add.35 and A/70/606)

Agenda item 145: Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (*continued*) (A/70/7/Add.35 and A/70/606)

Agenda item 146: Financing of the International Residual Mechanism for Criminal Tribunals (*continued*) (A/70/7/Add.35 and A/70/606)

23. **Ms. Bartsiotas** (Controller), introducing the reports of the Secretary-General on revised estimates: effect of changes in rates of exchange and inflation (A/70/603) and revised estimates for the International Criminal Tribunal for Rwanda, the International Tribunal for the Former Yugoslavia and the International Residual Mechanism for Criminal Tribunals: effect of changes in rates of exchange and inflation (A/70/606), said that the reports provided updated projections, prepared in December 2015 on the basis of the latest information on inflation, rates of exchange and vacancy rates, of the effect on the proposed programme budget and the budgets of the International Tribunals. Consistent with past practice, the Advisory Committee's recommendations had been taken into account.

24. Taking into account the updated projections and recommendations of the Advisory Committee, the requirements for the proposed programme budget for the biennium 2016-2017 would amount to $5,447.6 million. With regard to the Tribunals, the final estimates would amount to $1.8 million for the International Criminal Tribunal for Rwanda, $95.7 million for the International Tribunal for the Former Yugoslavia and $133.5 million for the International Residual Mechanism.

25. **Mr. Ruiz Massieu** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee (A/70/7/Add.35), said that the Advisory Committee had no objection to the revised estimates. The Secretary-General should provide updated recosting calculations using the most recent vacancy rates for all categories of staff, in line with the standard recosting methodology.

Agenda item 133: Programme budget for the biennium 2014-2015 (*continued*)

Second performance report on the programme budget for the biennium 2014-2015 (A/70/557 and A/70/619)

26. **Ms. Bartsiotas** (Controller), introducing the second performance report on the programme budget for the biennium 2014-2015 (A/70/557), said that the report provided an estimate of the anticipated final level of expenditure under the programme budget for the biennium, taking into account changes in the parameters for inflation and exchange rates and cost-of-living adjustments compared with the assumptions made in the first performance report (A/69/612). The report reflected actual expenditures between 1 January 2014 and 30 September 2015, with projected requirements for the last three months of the biennium.

27. By its resolutions 69/263 A and 69/274 A and B, the General Assembly had approved a revised appropriation of $5,831.9 million. The continued strengthening of the dollar against a number of currencies used by the programme budget had generated a decrease of $41.1 million, while favourable inflation rates for post and non-post objects of expenditure had contributed to a decrease of approximately $11.1 million.

28. The report also took into account unforeseen and extraordinary expenses arising from decisions adopted by the Assembly and the Security Council during the biennium. The Secretary-General sought approval to appropriate an additional amount of $34.5 million under the programme budget for 2014-2015 for the funding of those expenses as well as of the

implementation of flexible workspace in the Secretariat and the approved subvention to the Extraordinary Chambers in the Courts of Cambodia.

29. Unforeseen and extraordinary expenses incurred pursuant to Assembly resolution 68/249 subsequent to the finalization of the second performance report for the biennium 2014-2015 amounted to $16.6 million. The bulk of that amount, $10 million, related to human rights and humanitarian assistance; $6.4 million related to peace and security; and $88,700 had been authorized in connection with the extension of the appointment of the Delegate of the Secretary-General to the Subcommission on end-of-conflict issues within the Colombian peace process.

30. By its resolution 69/274, the Assembly had authorized the Secretary-General to enter into commitments up to an amount of $5.8 million for the implementation of flexible workplace strategies in the Secretariat Building. In addition, as an exceptional measure, it had authorized him to enter into commitments in an amount not to exceed $12.1 million to supplement the voluntary financial resources of the international component of the Extraordinary Chambers in the Courts of Cambodia for the period from 1 January to 31 December 2015; the Secretary-General had been requested to report on the use of the commitment authority in the context of the second performance report for the biennium 2014-2015. The amounts authorized had been fully utilized.

31. A lower budget implementation rate was projected under some sections of the programme budget, notably under section 3, Political affairs, mainly related to decreased requirements in special political missions, while some increases were also projected, mainly under section 34, Safety and security, reflecting increased requirements for overtime costs at Headquarters and regional commissions.

32. An increase of approximately $27.5 million was projected for salaries and common staff costs, the result of higher-than-budgeted standard costs and lower vacancy rates. That increase was offset by a decrease of $39.1 million under non-post objects of expenditure. An increase of $5.6 million was projected under staff assessment.

33. The anticipated final level of expenditure under the expenditure sections of the programme budget for the biennium 2014-2015 amounted to $5,808.3 million, reflecting a net decrease of $23.6 million compared with the revised appropriation of $5,831.9 million.

34. Projected income was estimated at $574.7 million, representing an increase of $27.8 million over the revised income estimates a year earlier. The increase was under section 2, General income, and was broadly related to higher-than-anticipated reimbursements of costs by funds and programmes in connection with the administration of justice. Overall, the anticipated final level of expenditure and income for the biennium 2014-2015 reflected a reduction of $51.5 million compared with the revised appropriation for 2014-2015.

35. **Mr. Ruiz Massieu** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee (A/70/619), noted that the anticipated final level of expenditures and income for the biennium represented a net reduction of $51.5 million compared with the revised appropriation and estimate of income approved by the Assembly. The Secretary-General's report contained insufficient information on the factors underlying the reported resource changes, a concern that he should address in future performance reports. The Advisory Committee recommended that the Assembly should request the Secretary-General to make available supplementary information on the delivery of the budget for the most recent completed financial period to allow for more informed resource allocation decisions.

36. The Advisory Committee noted that the forward purchasing of foreign currencies over the period from 2013 to 2015 had improved budget predictability. However, the information presented in the Secretary-General's report fell short of the Assembly's request for a comprehensive assessment of the application of the forward purchasing methodology.

37. The Advisory Committee had expected a greater reduction in expenditure on staff travel in the light of reduced average ticket prices and potential savings under the revised travel policy. Lastly, it commended the Secretary-General on his efforts to reduce unliquidated obligations and trusted that he would provide more information in future performance reports.

38. **Mr. Davidson** (South Africa), speaking on behalf of the Group of 77 and China, said that the Group attached great importance to the effective and smooth

functioning of the Organization. Performance reports were a particularly important benchmark in the budget process, and the second performance report was a critical priority for the Group.

39. The Group noted that the anticipated final level of expenditure under the expenditure sections of the programme budget for the biennium 2014-2015 amounted to $5,808.3 million, and that overall there was a reduction of $51.5 million compared with the revised appropriation for the biennium.

40. The current budget methodology, including recosting, had generated savings of some $58.1 million in 2014-2015. Recosting was an integral part of the budget procedures established by General Assembly resolutions 41/213 and 42/211 and had been consistently applied to the budget of the United Nations since the adoption of resolution 41/213. It allowed the Organization to cope with highly volatile external macroeconomic factors. The Group rejected any attempt to undermine the compromise achieved more than 20 years before with regard to budget procedures and decision-making and hoped to see an end to discussion of recosting.

41. The Organization's experience of forward purchasing had been positive. He welcomed the information provided by the Secretary-General and looked forward to further indications of how such measures could generate efficiencies by providing greater budget predictability while avoiding a negative impact on mandate delivery.

42. **Mr. Onuma** (Japan) said that his delegation noted the anticipated final level of expenditure under the expenditure sections of the programme budget for the biennium 2014-2015 at $5,808.3 million, a decrease of $23.6 million compared with the revised appropriation, mainly related to changes in exchange rates and inflation rates. However, it would like to receive a more detailed explanation of the projected increase in expenditures for both post and non-post resource requirements, including for general operating expenses and improvement of premises.

43. It also wished to know how the Secretariat had implemented the resolutions on air travel, and why the savings and efficiencies achieved had been less than expected. Lastly, his delegation urged the Secretary-General not to allow any last minute, unnecessary spending.

Capital master plan (A/C.5/70/L.9)

Draft resolution A/C.5/70/L.9: Capital master plan

44. *Draft resolution A/C.5/70/L.9 was adopted.*

The meeting rose at 11.15 a.m.